IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 9770 of 2002

Between:

N. Venu Gopal Rao, s/o. Narayana Rao,

R/o. Gajuvaka, Visakhapatnam.

..... PETITIONER

AND

1. The Secretary, State Board of Technical Education, Hyderabad.

2. The Principal, Government Polytechnic College, Visakhapatnam.

3. The Controller of Examinations, State Board of Technical

Education and Training, A.P., Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction particularly one in the nature of Writ of Mandamus declaring the action of the respondents in rejecting the petitioner application pursuant to the notification
dated 14-4-2002 is illegal, arbitrary and violation of principles of natural justice consequently direct the respondent to receive the petitioner application by allowing him for writing the balance final year Diploma in Civil Engineering Examination in the interest of the justice.

Counsel for the Petitioner : MR.KURITI BHASKARA RAO

Counsel for the Respondents : GP FOR HIGHER EDUCATION

The Court made the following :

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ORDER :

The petitioner, at the relevant time, was holding Diploma in Electrical Engineering. He was also appointed in Panchayat Raj Department and posted at Saluru. Subsequently, he was transferred to Gajuvaka Panchayat Raj office, which was upgraded as Gajuvaka Municipality. As he was required to obtain Diploma in Civil Engineering course for the purpose of promotion, he applied to first respondent for admission into Part-time Diploma course in Civil Engineering. He alleges that he has completed some of the papers, but in the subjects of (a) S.M. & T.S. and (b) Highways & Railways, he could not get through the examination. Therefore, pursuant to the Notification issued by first respondent on 14-4-2002, the petitioner made an application to permit him to appear for the examination. The same was rejected. Therefore, he filed the present writ petition seeking declaration that such rejection is illegal and arbitrary.

As per the Notification dated 14-4-2002 the Examination was to commence on 14-6-2002. Therefore, the petitioner also sought an interim direction from this Court seeking the respondents to receive the petitioner's application to allow him for writing the Examination in the above two subjects.

This Court, while admitting the writ petition on 22-5-2002 passed interim orders in W.P.M.P.No.12014 of 2002 directing the respondents to receive the application of the petitioner and allow him to take the examination in the subjects applied for by

him in the Final Year of Diploma in Civil Engineering. In that view of the matter, nothing remains in the writ petition.

The writ petition is accordingly dismissed as infructuous. No costs.

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(V.V.S.RAO, J.)

06-10-2004.

Msr.

To

1. The Secretary, State Board of Technical Education, Hyderabad.

2. The Principal, Government Polytechnic College, Visakhapatnam.

3. The Controller of Examinations, State Board of Technical

Education and Training, A.P., Hyderabad.

4. 2CCs to G.P. for Higher Education, High Court Buildings,

Hyderabad (OUT).

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HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.9770 of 2002

06-10-2004.

(Msr)